

103D CONGRESS
1ST SESSION

H. CON. RES. 182

Concerning United States interdiction of Haitian vessels and individuals.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 17, 1993

Ms. MCKINNEY (for herself, Mr. BLACKWELL, Ms. WATERS, Mr. TUCKER, Mr. REYNOLDS, Mr. DIXON, Mr. RUSH, Ms. BROWN of Florida, Miss COLLINS of Michigan, Mr. SCOTT, Mr. PAYNE of New Jersey, Mrs. MEEK, Mr. HASTINGS, Mr. WATT, Mr. FLAKE, Mr. RANGEL, Mr. DEL-LUMS, Ms. NORTON, Mr. OWENS, Mr. FIELDS of Louisiana, Mr. HILLIARD, and Mr. CLYBURN) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary

CONCURRENT RESOLUTION

Concerning United States interdiction of Haitian vessels and individuals.

Whereas the United States has a unique agreement with Haiti permitting the Coast Guard to stop, board, and detain Haitian vessels and individuals found on board such vessels;

Whereas under this agreement the United States declares that it does not intend to return to Haiti any migrants found to be refugees;

Whereas on September 30, 1991, the first democratically elected president in Haitian history, Jean Bertrand Aristide, was forcibly overthrown;

Whereas a United States District Court stated in an uncontested finding that since the military coup “hundreds of Haitians have been killed, tortured, detained without warrant, or subjected to violence and the destruction of their property because of their political beliefs”;

Whereas the Governor’s Island Accord has been blatantly disregarded by the coup leaders and no implementation of the accord appears imminent;

Whereas prior to May 24, 1992, the United States routinely screened interdicted Haitians to determine whether they had a credible fear of persecution in Haiti if returned;

Whereas since May 24, 1992, the United States has had a policy of returning all interdicted Haitians regardless of the prospects of persecution upon return;

Whereas approximately 30 percent of the Haitians interdicted during the months preceding the institution of the blanket return policy were found to have credible fears of persecution;

Whereas the interdiction program as currently instituted deprives Haitians of the opportunity to escape dire circumstances by sea to a place other than the United States; and

Whereas even after the Supreme Court held that nothing in statute or treaty prevents a blanket return policy, the United States reportedly screened Chinese interdicted off the Pacific coast to determine whether any of them had a credible fear of persecution if returned to China: Now, therefore, be it

- 1 *Resolved by the House of Representatives (the Senate*
- 2 *concurring*), That it is the sense of the Congress that—

- 1 (1) no Haitian interdicted by any officer or em-
2 ployee of the United States should be forcibly re-
3 turned to Haiti prior to being interviewed by a
4 trained asylum officer to determine whether she or
5 he has a credible fear of being persecuted on return
6 because of race, religion, nationality, membership in
7 a particular social group, or political opinion; and
- 8 (2) any Haitian found to have a credible fear
9 of persecution should be paroled into the United
10 States for the purpose of applying for political asy-
11 lum.

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